

the MWPAAC REPORT

Metropolitan Water Pollution Abatement Advisory Committee  MEMBER PACKET

December 2007

MEMBERS:

Alderwood Water and Wastewater District
City of Algona
City of Auburn
City of Bellevue
City of Black Diamond
City of Bothell
City of Brier
City of Carnation
Cedar River Water and Sewer District
Coal Creek Utility District
Cross Valley Water District
Highlands Sewer District
City of Issaquah
City of Kent
City of Kirkland
City of Lake Forest Park
Lakehaven Utility District
City of Mercer Island
Midway Sewer District
Northeast Sammamish Sewer District
Northshore Utility District
Olympic View Water & Sewer District
City of Pacific
City of Redmond
City of Renton
Ronald Wastewater District
Sammamish Plateau Water and Sewer District
City of Seattle
Skyway Water and Sewer District
Soos Creek Water & Sewer District
Southwest Suburban Sewer District
City of Tukwila
Val Vue Sewer District
Vashon Sewer District
Woodinville Water District

NOTICE OF MEETING

The MWPAAC Meeting is scheduled for Wednesday, December 5, 2007, in Building H, Room 103 at Renton Technical College located at 3005 NE 4th Street, Renton, Washington. Renton Technical College is located near I-405. Take Exit 4 and the campus is located between NE 3rd Street and NE 4th Street at Monroe Avenue NE. The meeting is from 10:30 a.m. – 1:00 p.m.

All MWPAAC members are encouraged to attend the meeting. Lunch will be served promptly at 11:30 a.m. Luncheon is Shrimp Vera Cruz and the alternative dish is Vegetable Lasagna. There will be no cost for representatives, alternates or guests. Please RSVP to Valerie Garza at 206-263-6070 or valerie.garza@kingcounty.gov by 12/04/07.

AGENDA FOR DECEMBER 5, 2007

10:30 AM – 1:00 PM MWPAAC Meeting

1. Chair's Report Dave Christensen
MWPAAC Chair
2. WTD Director's Report Christie True
WTD Division Director
3. Brightwater Project Update Gunars Sreibers
WTD Staff
4. Infiltration/Inflow - Private Property Mark Buscher
WTD Staff
Side Sewer Insurance
5. Report on Work of MWPAAC Task Force Task Force
Committee Member
6. Subcommittee Reports by Subcommittee Chairs

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**Members, Alternatives
& Guests Present:**

Arden Blackledge
Larry Blanchard
Walt Canter
Mark Cassell
Dave Christensen
Don Davidson
Bob Elwell
Wes Jorgenson
Gary Hajek
Vicky Henderson
Don Henry
Ken Howe
Arne Lind
Ron Little
Sheldon Lynne
Steve Moye
Joyce Nichols
Steve Ohlenkamp
Tom Peadon
Bill Pelozo
Randy Reece
Ron Sheadel
Mary Shustov
Lorraine Snyder
Karen Steeb
Steve Stevlingson
Laura Szentes
Scott Thomasson
Bill Tracy
Art Wadekamper
Margaret Wiggins
Fanny Yee

King County Staff:

Bob Hirsch
Deb Lester
Lorraine Patterson
Debra Ross
Christie True

NOVEMBER MEETING MINUTES

Chair's Report – Dave Christensen

The meeting was called to order and introductions were made. It was moved and seconded and carried by the unanimous vote of all Committee members present that the minutes of October 3, 2007, with the following correction: the September 5, 2007, meeting minutes were originally tabled and then approved at the October 3, 2007, meeting be approved.

WTD Director's Report – Christie True

Christie made several announcements: The County Council is currently reviewing the 2008 Budget and how the WTD budget would affect the 2009 rate. WTD will continue to focus on having a deliberative process with the Finance Subcommittee as well as conduct a number of analyses to mitigate the 2009 rate impact. MWPAAC input will be solicited as the process moves forward. The Council expressed interest in the Puget Sound Partnership, inquiring as to how decisions are made on how and what methods are used to clean-up Puget Sound. The Council requested a preliminary report, which was submitted in September '07, and another report due in January '09 about the countywide programs in place that address impacts to Puget Sound.

The Environmental Protection Agency, Washington State Department of Ecology, and the parties involved in the Duwamish Superfund site have instituted a remediation investigation to identify the contaminants in the sediments and how they are impacting the local ecology. The next step is to develop clean-up strategies. A public meeting is set for the end of the month, and we anticipate interest from the media and environmental groups.

The MWPAAC taskforce committee is reviewing the draft MWPAAC charter as well as roles and responsibilities. The goal is to have them available for full MWPAAC review in December.

The ordinance to amend RWSP conveyance policies, which includes MWPAAC's recommendations, has been transmitted to Council. It will be on the agenda for the

RWQC December meeting.

The Department of Natural Resources and Parks (DNRP) has a new Director, Theresa Jennings, formerly Director of the Solid Waste Division.

A question was raised on the status of the contract negotiation process. Christie said, she is currently soliciting ideas on the process and working with the MWPAAC taskforce committee to address those concerns.

In response to a question, Christie answered that the Executive was aware and engaged on the issue of contract negotiation discussions.

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A member asked what the major projects wastewater is working on that are enhancing the clean-up effort along the Duwamish River. Christie replied, the major ones revolve around control of the Combined Sewer Overflows (CSOs) in the Duwamish River and sediment cleanup, because we still have contaminated sediments that we are liable for. The RWSP calls for county CSO projects along the Duwamish River between 2017 and 2027. There has been discussion on should it start sooner. You, as decision-makers, have a tough decision to make about what is going to be the best in the nearest term.

King County Charter Review and Regional Water Quality Committee – Bob Hirsch

King County adopted WA State's first home rule charter in 1969. King County's charter requires a review every ten years. The Executive convenes a group of citizens to the Charter Review Commission, who examine whether or not any changes should be made to the charter. The current review began in January 2007 and will conclude in May 2008. The Charter Commission's proposed changes will then go to Council for approval for placement on the ballot. The regional committees (Policy, Transit and Water Quality) were created by charter amendment.

A question was asked about the role of the Executive in the Charter Commission process. Bob responded that the Executive role is to convene the commission.

A question was asked about the number of representatives and votes Suburban Cities has on RWQC. Bob replied that there are four representatives with two votes.

As the charter review commission was convened, the Executive requested recommendations from the departments for potential modifications to the charter. DNRP suggested adding a Snohomish County representative to RWQC. That was largely a product of the Brightwater siting efforts. Snohomish County represents 5% of the ratepayer base, has no representation, and hosts one of the county's three regional wastewater treatment facilities. This issue was repeatedly raised by the Snohomish Executive and Snohomish County Council members in discussions along with the Commissioners of Cross Valley Water and Sewer District. King County committed to support representation from Snohomish County on RWQC and this was embodied in one of the mitigation agreements that was adopted by the Council. As far as accommodation of the Snohomish County representative, the department suggested that one of the KC sewer district representatives be allotted to the Snohomish County representative, thereby reducing KC sewer district representation to one.

Questions were raised on the recommendation of a Snohomish County representative and how that would impact RWQC. Bob responded that the objective was to maintain 6 County Council members and 6 constituent members with Snohomish County as a constituent member.

There is a view that RWQC deals with water quality in a broad sense, and there could be countywide plans and policies other than wastewater that could affect everyone in the county. Governments outside the service area ought to be able to participate as far as representation on RWQC. The plans and policies that have been considered and acted upon by the RWQC, however, have been exclusively for the wastewater system. In the records of actions since RWQC was formulated; there were only four instances where the committee took action related to something other than the wastewater system.

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A comment was made that the issue goes back further to the early 70's when legislation was adopted that allowed the county to take over Metro. Shortly, thereafter there was another piece of legislation that was adopted that made the legal boundaries of Metro the same as King County. Bob responded that he spoke on that issue at last month's meeting.

A comment was made that the State law would need to be changed to alter MWPAAC participation. Bob answered that the legislation referred to was adopted in 1971. It was quite a few years before the 1977 legislation that allowed counties to take over metropolitan municipal corporations. In 1971 - the legislature passed some laws regarding transportation funding that allowed counties to levy those taxes. The legislature then expanded the Metro boundaries to include all of King County to set the stage for the activation of the transportation function and the employment of these funding sources. It had the consequence of making sewer districts and cities outside the service area eligible for MWPAAC membership. But prior to that time the wastewater service area and the metropolitan boundaries as a legal entity were about the same.

Questions were raised how the county would go about changing the RWQC membership, specifically the composition. Bob responded that State law created a situation where cities and sewer districts outside the service area could participate in MWPAAC. Whereas adding a Snohomish County representative and changing the membership composition of RWQC are the sole purview of the King County charter.

Service Area Composition: City of Seattle – 42%; King County Suburban Cities – 34%; King County Sewer Districts – 19%; Snohomish County – 5%.

A question was raised on how the foregoing percentages were calculated. Bob replied that they were calculated using RCE's based on the monthly billing records. WTD bills every sewer district and city monthly for the residential customer equivalent that they report quarterly on.

Bob commented on the statutory preeminence of the cities as one of the factors that could affect perceptions about representation or RWQC. Cities have the statutory ability to take over the sewer districts within their boundary, and the Growth Management Act identifies cities as the preferred provider of urban cities within urban growth boundaries. Another concern is the number of overlapping local governments that exist in the greater Puget Sound region. The Puget Sound Regional Council (PSRC) in their draft 2040 vision recommendations, point out in the four-county region there are 330 special purpose districts. Their recommendation is that the cities take over the functions of special districts and reduce this number and those special districts that are left should be encouraged to consolidate.

A question was asked out of 330 special purpose districts, how many were sewer districts. Bob replied that he wasn't sure but it goes to this larger issue, the number of overlapping governments providing individual services. He noted there are concerns by local governments that are too many governments, each providing individual services, and they should be reduced.

Bob mentioned other recommendations submitted to the Charter Review Commission were to reduce the number of Council members on each regional committee. The suburban cities recommendations deal with the scope and power of the committee. All the input that has been submitted to date can be viewed on the

Continued county's website. Comments can be submitted to the Charter Commission at <http://www.metrokc.gov/exec/charter>.
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Questions were asked on the role of County Council in the charter review. Bob replied that the commission makes its recommendation to the County Council as to what changes they believe should be made. Then the County Council makes the decision to adopt those changes by ordinance to put them on the ballot.

A question was raised on how the ballot proposition regarding the County Director of Elections is created as a nonpartisan elected office reconciles with the charter amendment process or committee. Bob answered that was a citizen's initiative that put that on the ballot.

A question was asked why the WTD recommendations weren't brought to MWPAAC for discussion and a recommendation made by the group that was understood and supported by everybody. Bob responded that the Executive asked all the departments within the county for suggestions on charter improvements. Bob also noted WTD, on wastewater issues is attempting to improve the means for MWPAAC to communicate with the executive branch and Council. There are situations, however, where King County government will stake out some positions that some elements of MWPAAC or the external world might not agree with. MWPAAC cannot reasonably expect to be consulted on all executive branch recommendations.

Water Quality Monitoring Report for 2006 – Deb Lester

There are two basic groups that do water quality monitoring: King County's Water and Land Resources Division and King County Environmental Laboratory. Both groups work closely to conduct the water quality monitoring program. The program is part of the water quality pollution abatement plan, supports multiple WTD programs and operations, protects the county's investment in clean water, helps deal with public health protection, and allows the tracking of long term water quality trends can help identify issues before they become serious. The data is used for a variety of purposes: salmon recovery, Clean Water Act compliance and storm water management. The county participates with other governmental and research agencies on cooperative monitoring projects.

The collection of precipitation data helps in the interpretation of water quality data; hydrologic modeling leads to a better understanding of the results of data collected. There are 54 stream monitoring locations that are sampled monthly for a variety of conventional parameters and quarterly monitoring for metals. The stream data is then plugged into a water quality index provided by DOE, this analysis does not include chemical contaminant data. The data is then compared against data that the state collects. The other type of data collected is the 2006 stream benthic macro invertebrate scores (B-IBI) and there are 140 locations that are sampled annually. Insects are collected from streams and samples are taxonomically identified. The basic ecological health of the streams is determined by how many and what type of species are found. Insects are helpful in determining the biological health of a stream because they integrate both the physical habitat and water quality. Swimming Beaches is another parameter that is monitored for bacteria in the three major lakes in addition to Green Lake. In the summertime, beaches are sampled weekly for fecal chloroform in collaboration between DNRP and KC/Seattle Public Health. Other work done is cost-shared with other jurisdictions to help them monitor their beaches.

Continued from Pg. 5 A concern was voiced that fecal testing doesn't determine the type of fecal matter and further testing is needed although it's cost-prohibitive to do on a regular basis. The public equates fecal testing with leaking sewer lines, when that's not the case. Deb replied that it's definitely cost-prohibitive to order tracing of the type of animal causing the high bacteria counts.

Work in the Green Lake was done looking at types of bacteria called microbial source tracking to identify who's contributing what to the actual bacteria levels and human sources don't make up the majority of the problem.

A concern was raised that by not identifying the fecal matter sample it was giving the public the wrong impression on what the problem was animal versus human source.

Another concern was made on identifying who is creating the problem. Deb responded that the information is primarily for public health (people swimming at the beaches). It's not necessarily meant to point a finger at the source, it's more meant to say there's contamination at the source.

A question was asked on the source of funding. Deb replied that the funding is cost-shared with KC jurisdictions and Public Health because they are concerned with people getting sick from swimming on a beach that may have bacteria contamination.

A question was raised on how stream and lake sampling came under the purview of the wastewater treatment. Christie answered that the testing is funded by wastewater; this water quality monitoring program was a part of the former Metro and now King County. It is primarily funded by wastewater and the question raises an important policy issue; this is an issue that can be raised at RWQC.

Another question was raised on increasing sample testing to solve the problem. Deb replied that if agencies are interesting in providing funding, sampling could increase. There has been some work at locations to better understand the contribution of the geese but there is little funding to do this sort of research component. This is public health issue that's minimally funded. Microbial source tracking that has been done points to a large variety of sources, there's a limitation on what can be controlled in parks.

A key element of data collected is on phosphorus and nutrient levels in the lakes to help staff understand the potential for algae blooms and nutrient enrichment. Algae bloom can be a nuisance, people don't like to swim in them and they can produce a toxin that is poisonous.

A question was asked on the source of phosphorus. Deb responded from a variety of sources: fertilizers, road run-off, septic and soils.

Marine waters sampling is based on four parameters (oxygen, ammonia, nitrate and stratification).

A concern was voiced regarding the level of oxygen in Puget Sound. Deb answered that oxygen is not a problem in that particular part of Puget Sound. From a wastewater perspective, nutrients and ammonia are compounds that a wastewater treatment plant would be adding to a problem if there was one. It doesn't

Continued from Pg. 6 appear that is the case. We want to collect that data to show our discharges are not making an impact. The Puget Sound partnership is focusing on things they refer to be toxic such as chemicals and endocrine disrupting chemicals, those types of things where there isn't as much data. This shows some really good news for us, there's going to be other things that they are focusing on that we don't have the answers for.

A concern was raised that wastewater shouldn't be funding storm water programs. Deb replied that a good point was raised on how we invest wastewater dollars.

WTD relies on the ability to incorporate into discharge, a mixing belt to meet the standard where effluent comes out of the pipe and is allowed to mix and then be measured against that standard. There are interests in Puget Sound seeking to eliminate that ability to use the mixing zone.

A question was asked if that problem was identified. Deb answered that the problem isn't always determined due to water quality parameters fluctuations and variabilities.

The data management system has been upgraded to include a hydrologic information center on the county website where you will find data on precipitation, water quality and flow monitoring.

A question was raised on whether there was overlap or duplication of sites on multi-jurisdiction projects. Deb replied that they are kept separate.

Subcommittee Reports:

Finance Subcommittee – The committee has met regularly and work done to date includes the committee ground rules and annual work plan. They have an aggressive schedule that they plan to adhere to.

Engineering and Planning Subcommittee – The committee recently discussed the economics portion of the Reclaimed Water Feasibility Study. There was also a presentation on the Green River Reclaimed Water Study that was done at the behest of South King County local governments.